

PATENT**IN THE SPECIFICATION**

Please amend the paragraph of the specification as follows:

Please replace the second paragraph on page 1 with the following amended paragraph:

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3/24/06*

U.S. Patent Application No. 6,973,098, issued on December 6, 2005, entitled "METHOD AND APPARATUS FOR DETERMINING A DATA RATE IN A HIGH RATE PACKET DATA WIRELESS COMMUNICATIONS SYSTEM," filed concurrently herewith and assigned to the assignee hereof which is hereby expressly incorporated by reference herein.